

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH L. MIZZONI,

Plaintiff,

v.

ATWOOD, *et al.*,

Defendants.

Case No. 3:15-cv-103-RCJ-VPC

ORDER

I. DISCUSSION

On January 26, 2016, the Court entered a screening order on Plaintiff's first amended complaint dismissing some claims with leave to amend, and allowing some claims to proceed. (ECF No. 9 at 12). The Court granted Plaintiff 30 days to file a second amended complaint. (*Id.*). Plaintiff did not file a second amended complaint. On March 10, 2016, the Court issued an order directing the case to inmate mediation program. (ECF No. 10). Plaintiff has filed a motion seeking permission to respond to defendants limited notice of appearance and court documents not received (ECF No. 12). Defendants have filed a request for instruction (ECF No. 13).

In Plaintiff's motion, he indicates that he never received the screening order or the order directing the case to mediation. (ECF No. 12 at 2). It appears from review of the docket, that Plaintiff has been transferred from Northern Nevada Correctional Center ("NNCC") to High Desert State Prison ("HDSP"). The Court notes that pursuant to Nevada Local Special Rule 2-2, "[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice."

1 Nev. Loc. Special R. 2-2. It is the duty of Plaintiff to comply with this rule. Plaintiff has not
2 filed a notice of change of address in this case. The Clerk's Office updated Plaintiff's address
3 to HDSP on April 7, 2016, based on Plaintiff's address reflected in his most recent filing. From
4 review of the docket in another pending case filed by Plaintiff, *Mizzoni v. Nevada*, Case No.
5 3:15-cv-00313-MMD-VPC, it appears Plaintiff was moved to HDSP prior to January 28, 2016.
6 The screening order in this case was filed two days prior, on January 26, 2016, and thus,
7 Plaintiff's move to HDSP is likely the reason he did not receive the screening order.

8 Again, it is Plaintiff's duty to keep his address updated with the Court. Plaintiff failed
9 to do so in this case. The Court denies Plaintiff's request to respond to Defendants' notice of
10 appearance. The Plaintiff will grant Plaintiff's request for a copy of his screening order.

11 II. CONCLUSION

12 For the foregoing reasons, **IT IS ORDERED** that Plaintiff's motion seeking permission
13 to respond to Defendants' limited notice of appearance and court documents (ECF No. 12)
14 is **GRANTED IN PART and DENIED IN PART**.

15 **IT IS FURTHER ORDERED** that the Clerk of the Court shall **SEND** Plaintiff a copy of
16 the screening order (ECF No. 9), order directing to mediation (ECF No. 10), and a copy of the
17 docket in this case.

18 **IT IS FURTHER ORDERED** that Defendants' motion requesting instruction (ECF No.
19 13) is **DENIED**.

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22 DATED: This 18th day of April, 2016.

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25 United States Magistrate Judge
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